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October 1, 2007

TOWN OF ABINGDON

REGULAR COUNCIL MEETING

MONDAY, OCTOBER 1, 2007 – 7:30 P.M.

COUNCIL CHAMBERS - MUNICIPAL BUILDING

A regular meeting of the Abingdon Town Council was held on Monday, October 1, 2007 at 7:30 p.m. in the Council chambers of the Municipal Building.

A. ROLL CALL

Members of Council Present: Mayor Lois H. Humphreys

Mr. Robert M. Howard, Vice Mayor

Dr. French H. Moore, Jr.

Mrs. Cathy Lowe

Mr. Edward B. Morgan

Administrative Staff: Gregory W. Kelly, Town Manager

Mark Godbey, Town Treasurer/Dir. Of Finance

Myra Cook, Director of Tourism

John Dew, Director of Public Services/Construction

Jim Smith, Director of Wastewater Operations/Town  
Engineer

Visitors: Betsy White, Emmitt Yeary, L.B. Atkins, Mike Wartella,  
Betty Ferrier, Joyce Ferrat, Charlene Truhlik, Jerry Compton,  
Lee Saunders

#### B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michael Wartella  
Mayor Humphreys welcomed everyone in attendance.

#### C. APPROVAL OF MINUTES

- August 27 Joint Meeting with Planning Commission
- September 4, 2007 Work Session
- September 4, 2007 Regular Meeting
- September 10, 2007 Work Session
- September 15, 2007 Work Session

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On motion of Mr. Howard, seconded by Mrs. Lowe, the Council approved all of the aforesaid minutes of meetings as presented.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

#### D. PETITIONS AND PUBLIC HEARINGS

1. Public Hearing – First Reading - Jerry Compton – Application to rezone property located on Court Street on the east side of such street from OI (Office & Institutional) to OH (Old & Historic District).

Mayor Humphreys opened the public hearing and asked if any citizens present wished to speak to the matter. Garrett Jackson, Director of Planning advised the Council that the Planning Commission after a public hearing recommended that the property be rezoned to Old & Historic. No one else spoke to this matter and Mayor Humphreys closed the public hearing and asked if the Council what their wishes were.

On motion of Mrs. Lowe, seconded by Dr. Moore, the application of Jerry Compton to rezone

Tax Map Parcel No.: 13-1-1 from office & Institutional to Old & Historic

was approved on first reading as presented in item H-1 of the agenda packet, with the second reading to occur at the November 5, 2007 regular meeting.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

E. CONSIDERATION OF BIDS---NONE

F. REPORTS FROM THE TOWN MANAGER

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1. Report and recommendation from panel of viewers concerning the vacation of an unopened portion of Hickman Street between Highland Street and Madison Street.

John Dew, Director of Public Services and Construction informed the Council that the panel of viewers previously appointed by the Council had met and recommended the unopened portion of Hickman Street in the petition for vacation be vacated, but that the Town retains a permanent easement and right of way across for utilities and drainage.

On motion of Dr. Moore, seconded by Mr. Howard, the Council approved the vacation of the unopened portion of the Hickman Street as petitioned and with the reservation of right of way and permanent easement for utilities and drainage.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

## 2. Report on operations of Fields Penn House.

Betsy White, the Director of William King Regional Arts Center gave an update of the events and operations of the Fields Penn House Museum. Mr. Morgan noted that he would like to see

if something could be done to boost attendance and if hours of operation could be extended on Saturdays

and also that perhaps some coordination could be done next year with the Over Mountain

Victory Trail celebration so that visitors attending that event could be directed to the Fields Penn House.

Mrs. White said she was agreeable to look into how these things could take place and noted

that they continue to promote the Heritage Express program for school children and the Cultural Heritage Collection.

Ms. Lowe stated that she thought future reenactments in addition to what goes on during the Highlands Festival would be of benefit.

3. Consideration of dedication of playground area at  
Park Street Park as the Bradley Miller Memorial Playground

Mr. Kelly advised the Council that a request  
had been made to dedicate playground equipment at  
the Park Street Park in memory of Bradley Miller, whose parents had paid for playground equipment  
some years ago in memory of him that was used  
at the Veterans Park, but had since gone into disrepair  
and been removed. The Parks and Recreation Commission recommended that this dedication be  
approved.

On motion of Dr. Moore, seconded by Mr. Morgan, the Council approved that the  
playground equipment at the Park Street Park be dedicated to the memory of Bradley Miller.

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The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

4. Request from Washington County Library Committee for \$1,000 to do a  
preliminary site feasibility study for new library to be located on William King property.

Mr. Morgan advised that the library had actually requested that the Town provide funding of \$2600.00 instead of \$1000.00 for a feasibility study to determine whether or not the library could possibly locate on the William King property. Betsy White acknowledged that \$2600.00 was the actual request. Mr. Morgan noted that the County was paying its share of the study as well.

On motion by Mr. Morgan, seconded by Mrs. Lowe, the Council appropriated \$2,600.00 to the Washington County Library to be used for a feasibility study to determine whether or not the library could locate and occupy a new building on the William King property.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

G. PASSAGE OF RESOLUTIONS – NONE

H. FIRST READING OF ORDINANCES

1. An Ordinance To Repeal, Amend And Reenact The Zoning Map Of The Town Of Abingdon To Include Tax Parcel Number 13-1-1 in the Old and Historic District.

On motion of Mrs. Lowe, seconded by Dr. Moore, the application of Jerry Compton to rezone Tax Map Parcel No.: 13-1-1 from office & Institutional to Old & Historic was approved on first reading as presented in item H-1 of the agenda packet, with the second reading to occur at the November 5, 2007 regular meeting.

The roll call vote was:

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Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

#### I. SECOND READING OF ORDINANCES – NONE

#### J. MISCELLANEOUS BUSINESS AND COMMUNICATIONS

##### 1. Appointments –

- Industrial Development Authority appointment(1)



- Appointment to fill unexpired term of Ed Wegener whose term expired on July 7, 2010

On motion of Mrs. Lowe, seconded by Dr. Moore, the Council appointed

Susan Howard to the Industrial Development Authority to fill the unexpired term of Ed Wegener.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Abstain

Mayor Humphreys Aye

- Board of Zoning Appeals appointment (1)

- Appointment to fill unexpired term of Deborah Icenhour whose

resignation is effective October 9, 2007. This appointment term expires on April 30, 2010.

On motion of Dr. Moore, seconded by Mr. Morgan, the Council appointed

Cameron Bell to the Board of Zoning Appeals to fill the unexpired term of Deborah Icenhour.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

Dr. Moore Aye

Mr. Howard Aye

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Mayor Humphreys Aye

#### K. OLD BUSINESS

##### 1. Consideration of Adoption of Master Plan for Veteran's Memorial Park.

Emmitt Yeary requested that the Council adopt the proposed Master Plan for Veteran's Memorial Park that he had presented to the Council at the September 4, 2007 regular meeting. He said that since that time he had presented the plan pursuant to Council's request to the Tree Commission and the Parks and Recreation Commission and that both bodies had recommended adoption of the plan. Mr. Howard inquired as to whether the plan entailed phases that would come back before the Council and also questioned how the funding would be obtained. Mr. Yeary advised that the plan was a master plan but construction would be done in phases and he would be back before the Council to ask what they thought about what was being proposed to be constructed and to perhaps to address funding issues. He requested that the Council appoint Garrett Jackson and/or the Town Manager as a liaison between the Veterans Committee and the Town Council so that future plans and needs could be addressed without lengthy delays and additional meetings. Ms. Lowe said that there appeared to be an issue as to whether or not the Council had appropriated the full 13 plus acres to be a Veterans Park or just a portion of the 13

acres, Mr. Yeary stated that the Council clearly designated the full tract for the park 4 years ago and it had been publicly represented as such during updates, events and funding requests and this was the first time this issue had ever been raised. The Town Manager advised that this happened before he was the Town Manager and was unsure of what action the Council took, but he stated that he would review the minutes from prior meetings if the Council so directed and report back to the Council and that perhaps the Council could approve the plan subject to Mr. Yeary coming back before the Council for approval at each phase of construction and to discuss the implementation of funding.

Mr. Yeary acknowledged this but asked that the Master Plan be approved to prevent further delays.

Mr. Yeary said that the County had committed funding on this park which was a good show of support for a joint effort

with the Town. He stated that the County had given more funding than the Town, to

which Mr. Kelly said that the Town had given the land which was a very substantial investment.

After further extended discussions by the Council, Mr. Morgan acknowledged that Mr. Yeary had acted in good faith in doing what the Council asked him to do at the September meeting and he felt the Council should take appropriate action.

Accordingly, on motion of Dr. Moore, seconded by Mr. Morgan, the Council approved the concept of the Master Plan, subject to the Council approving the implementation of the various construction phases and the funding, provided that the prior minutes of Council reflected that the Town had dedicated the full 13 plus acre tract as the Veterans Park.

The roll call vote was:

Mrs. Lowe Aye

Mr. Morgan Aye

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Dr. Moore Aye

Mr. Howard Aye

Mayor Humphreys Aye

#### L. COUNCIL MEMBER REPORTS

At this time the Mayor asked the Town Manager and each of the Council members if they had additional items to discuss. The Town Manager requested that the November 10 work session be rescheduled to November 17 since the 10th was a holiday weekend. All Council agreed to the new date of November 17, 2007 at 9:00 a.m. at the Incubator.

The Mayor recognized Chief Tony Sullivan who had asked to speak and he informed the Council that he was sorry that he had missed last month's meeting when he was recognized for his 5 years of service as Chief of Police. He expressed his gratitude to the Council for giving him the job and expressed just how enjoyable it was.

Dr. Moore recognized the Town Manager and his staff for making the Harvest Festival a tremendous success.

He stated that it was a great event that was well planned and carried out. Mr. Kelly expressed that it was a team effort among all of the Town Staff and stated

that it was the “funnest” hard days of work he had ever had as Town Manager.

Ed Morgan also recognized the Town staff and volunteers who made the

Over Mountain Victory Trail celebration and the Dr. David Brillhart Pavilion dedication a huge success.

#### M. ADJOURNMENT

With no further business before the Council, the meeting was adjourned.

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Lois H. Humphreys, Mayor

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Gregory W. Kelly, Town Manager

And Acting Clerk